# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

**[Airspace Docket No. 00–AEA–05FR]**

### Establishment of Class E Airspace, Rome, NY; Correction

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects an error in the geographic coordinates of a final rule that was published in the **Federal Register** on March 28, 2001 (66 FR 16848), Airspace Docket No. 00–AEA–05FR, which established Class E airspace at Griffiss Airpark, Rome, NY.

**EFFECTIVE DATE:** September 6, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis T. Jordan, Jr., Airspace Specialist, Airspace Branch, AEA–520 F.A.A. Eastern Region, 1 Aviation Plaza, Jamaica, NY; 11434–4809; telephone: (718) 553–4521.

**SUPPLEMENTARY INFORMATION:**

#### History

**Federal Register** document 01–7420, Airspace Docket No. 00–AEA–05FR, published on March 28, 2001 (66 FR 16848), established Class E airspace at Rome, NY. An error was discovered in the geographic coordinates for the Griffiss Airpark, Rome, NY. This action corrects that error.

#### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the geographic coordinates for the Griffiss Airpark as published in the **Federal Register** on March 28, 2001 (66 FR 16848), are corrected as follows:

**§ 71.1 [Corrected]**

**AEA NY E5 Rome, NY [Corrected]**

1. On p. 16849, column 1, in the coordinates under Griffiss Airpark, correct ''(Lat. 43°14′04″ N/ long. 75°24′43″ W)'' to read ''(Lat. 43°14′02″ N/ long. 75°24′25″ W)''.

Issued in Jamaica, New York on June 1, 2001.

**F.D. Hatfield,**

*Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 01–15334 Filed 6–25–01; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Part 173

**[Docket No. 00F–1482]**

### Secondary Direct Food Additives Permitted in Food for Human Consumption

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of ozone in gaseous and aqueous phases as an antimicrobial agent on food, including meat and poultry. This action is in response to a petition filed by the Electric Power Research Institute, Agriculture and Food Technology Alliance.

**DATES:** This rule is effective June 26, 2001. Submit written objections and requests for a hearing by July 26, 2001. The Director of the Office of the Federal Register approves the incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 of a certain publication listed in § 173.368(c), effective as of June 26, 2001.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Martin, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204–0001, 202–418–3074.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** of September 13, 2000 (65 FR 55264), FDA announced that a food additive petition (FAP 0A4721) had been filed by the Electric Power Research Institute, Agriculture and Food Technology Alliance, 2747 Hutchinson Ct., Walnut Creek, CA 94598. The petition proposed to amend the food additive regulations in part 173 (21 CFR part 173) to provide for the safe use of ozone in gaseous and aqueous phases as an antimicrobial agent for the treatment, storage, and processing of foods.

The proposed use would include the use of this additive on raw agricultural commodities (RACs) in the preparing, packing, or holding of such commodities for commercial purposes, consistent with section 201(q)(1)(B)(i) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 321(q)(1)(B)(i)), as amended by the Antimicrobial Regulation Technical Corrections Act of 1998 (ARTCA) (Public Law 105–324). The petitioner is not proposing that the additive be intended for use for any application under section 201(q)(1)(B)(i)(I), (q)(1)(B)(i)(II), or (q)(1)(B)(i)(III) of the act, which use would be subject to regulation by the Environmental Protection Agency (EPA) as a pesticide chemical. The proposed use of the additive includes the use to reduce the microbial contamination on RACs. Under ARTCA, the use of ozone as an antimicrobial agent on RACs in the preparing, packing, or holding of such RACs for commercial purposes, consistent with section 201(q)(1)(B)(i) of the act, and not otherwise included within the definition of ''pesticide chemical'' under section 201(q)(1)(B)(i)(I), (q)(1)(B)(i)(II), or (q)(1)(B)(i)(III) is subject to regulation by FDA as a food additive.

Although this use of ozone as an antimicrobial agent on RACs is regulated under section 409 of the act (21 U.S.C. 348) as a food additive, the intended use may nevertheless be subject to regulation as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Therefore, manufacturers intending to market ozone for such use should contact the EPA to determine whether this use requires a pesticide registration under FIFRA.

FDA has evaluated data in the petition and other relevant material.